

To: Patterson, Leslie[patterson.leslie@epa.gov];
 madelyn.smith@epa.ohio.gov[madelyn.smith@epa.ohio.gov]
From: Brett.Fishwild@CH2M.com
Sent: Tue 2/18/2014 8:55:33 PM
Subject: South Dayton Dump - ARAR's comment for exposed waste in OU2

Leslie,

As you may recall, we still have the unresolved issue of how to handle the exposed waste and fill in OU2. We presented our thoughts on this matter in our first set of review comments; however, we have since found additional information for you to consider.

Dave Boehnker came across an Ohio regulation that pertains to this situation. For construction and demolition landfills, Ohio OAC regulations (see reference below) require a cap of either 18-inches of compacted soil or a dense vegetative cap consisting of 6-inches of soil and grass or dense vegetation. This isn't a risk issue or something to be solved by a risk assessment, but a state closure requirement after a construction/demo landfill has stopped accepting waste. As CRA has often tried to characterize the waste at SDD as construction and demo fill and would not need an exposure barrier, this regulation would seem to put them in the same place anyway. Maddie, perhaps you can check with your waste people to see if we interpreted this correctly?

See Ohio regulations:

- [3745-400-12E8\(a\)](#)
- [3745-400-07](#)

On the other hand, our ARARs expert suggested in our previous comments that the waste that happens to be in OU2 is bound by whatever ARARs apply to the OU1 area since it's all the same landfill.

Please let us know your thoughts on this matter so we can support the path forward in whatever manner EPA decides to pursue.

Thank you.

Brett A. Fishwild

Associate Project Manager

Geologist

CH2M HILL

1 South Main Street

Suite 1100

Dayton, OH 45402

Direct 937.220.2955

eFax 937.234.6157

Mobile 515.991.2404

www.ch2mhill.com